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ABSTRACT

Charter schools may provide part of the answer to increased demand for restructuring and school accountability/autonomy. This handbook describes in detail the organization and operation of charter schools. Chapters define charter schools, describe their appeal and the approval process, present a model charter-school structure, discuss innovative state legislation regarding charter schools, provide samples of charter-school programs, and outline the creation and operation of a charter school. A chapter titled "The Effect of Charter Schools" notes the following observable trends: (1) school environments are being created in response to student and parent desires; (2) numerous at-risk students are being served; (3) unique business and community partnerships are being formed; (4) larger percentages of existing funds are being focused on instruction; (5) ripple effects are becoming visible across the broader system; and (6) charter schools are not immune from problems. A conclusion is that organization is one of the most time-consuming tasks; however, those people involved with charter schools see it as a bold reform with great promise. One figure is included. (LMI)

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Understanding Charter Schools

Lori A. Mulholland
Louann A. Bierlein

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Understanding Charter Schools

by
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Charter Schools Defined

School reformers continue to argue that the traditional public school structure in the United States is outdated and that restructuring must occur. Central to this argument is the notion that those closest to students (school — not district — personnel) should be given more authority and held more accountable for student results. With greater independence from a central authority, many contend, school personnel will develop innovative learning environments that more closely match students' needs. The difficulty lies in deciding *how* to make schools more autonomous and accountable.

Charter schools may provide part of the answer. The creation of such schools offers a viable means to integrate various reform ideas and to develop highly autonomous and accountable learning environments. They also force educators to question the wisdom of many conventional management and instructional practices. The broad goal of the charter schools movement is not simply to develop a few new schools, but to create dynamics that will cause changes throughout the entire public education system.

In its purest form, a charter school is an autonomous educational entity operating under a charter, or contract, that has been negotiated between the organizers, who create and operate the school, and a sponsor, who oversees the provisions of the charter. Organizers may be teachers, parents, or others from the public or private sector; and sponsors may be local school boards, state education boards, or some other

public authority. Provisions in each school's charter address such considerations as the school's instructional plan, specific educational results and how they will be measured, and management and financial plans.

A charter school may be formed using an existing school's complete personnel and facilities or a portion of such a school (as a school-within-a-school). Or a completely new entity with its own facilities may be developed as a charter school. Once granted approval, a charter school becomes legally independent, able to hire and dismiss staff, sue and be sued, award contracts for outside services, and control its own finances. Operational funding is based on student enrollment, just as it would be for a public school or district. Because charter schools agree to be held accountable for education results, they are freed from all or many district and state regulations that may be perceived as inhibiting innovation, such as excessive teacher certification requirements, collective bargaining agreements, Carnegie Units, and other curriculum requirements.

When the term of a charter school's contract expires, it may be renewed, providing that the school has achieved specified student results, has not violated any laws or grossly mismanaged its affairs or budget, and continues to attract students, parents, and teachers. Failure in any of these areas puts the school out of business.

The Appeal of Charter Schools

There are several reasons why charter schools are getting attention around the country. In an ideal setting, charter schools:

Enhance educational choice options. Charter schools can improve educational choices for students, parents, and teachers. They offer teachers a chance to work in more innovative, autonomous schools that use new or alternative teaching methods, philosophical approaches, and assessments. They offer parents and students a variety of learning environments often not available in public schools.

Permit true decentralization. Charter schools decentralize education in a way that traditional site-based management may not. As autonomous legal entities, charter schools are free to make all their own administrative and instructional decisions, and they are held legally liable for them. This arrangement avoids the problems encountered by schools that are site-based managed, but for which the district remains legally liable. Fully autonomous charter schools also receive their funding directly from the state, just as if they were school districts. (However, not all states grant full financial or legal autonomy to their charter schools.)

Focus on results, not inputs. In return for stricter accountability, charter schools automatically are exempted from all state and local laws and regulations except those related to health and safety, nondiscrimination and civil rights, fiscal accountability, and those agreed to in their charters. Although some critics challenge that this level of free-

dom should be granted to all school districts, it is questionable whether many school board members or district office personnel would be willing to sign contracts agreeing to resign if certain results are not met. Charter schools involve volunteers willing to test this concept.

Remain public schools. Charter schools subscribe to the American democratic ideals of the common school: They are tuition-free, nonsectarian, non-selective in student admissions, and do not discriminate on the basis of race, religion, or disability. A few states (such as Arizona and Minnesota) do not prohibit private schools from becoming public charter schools; however, these private schools must follow the same rules as public schools that seek charter status and public funding. This provision is one reason that individuals who are against private school vouchers often support the charter school concept.

Offer new professional opportunities for teachers. Charter schools offer teachers a chance to become directly involved in all phases of school operations, from curriculum planning to management. They also open the door for teachers to become school "owners," rather than just employees. For example, teachers may establish a cooperative or partnership arrangement within a charter school and contract with a sponsor (or subcontract with a nonprofit charter school management team) to organize and operate the school.

Foster a more market-driven education system. Enrollment in charter schools is voluntary, so the schools must be designed to attract education consumers. This aspect introduces competition into the system. If a charter school fails to produce agreed-on results, the charter can be revoked. Before such action, however, a school could lose the support of parents who "vote with their feet" and withdraw their youngsters from the school. Early evidence supports the notion that this form of education choice will pressure the entire education system to improve.

Furthermore, charter schools have features that appeal to both conservatives and liberals. For example, conservatives tend to support charter schools because they include elements essential to their reform efforts: choice, decentralization, and enhanced accountability. Liberals

value charter schools for bringing together education reforms without abandoning the public school system. Indeed, maintaining the ideals of the common school is seen as a key component of charter schools. Thus charter school legislation has transcended party lines. In Minnesota, for example, efforts to legislate charter schools were initiated by Democrats; in Massachusetts, charter schools were largely a Republican venture.

Charter School Approval Process

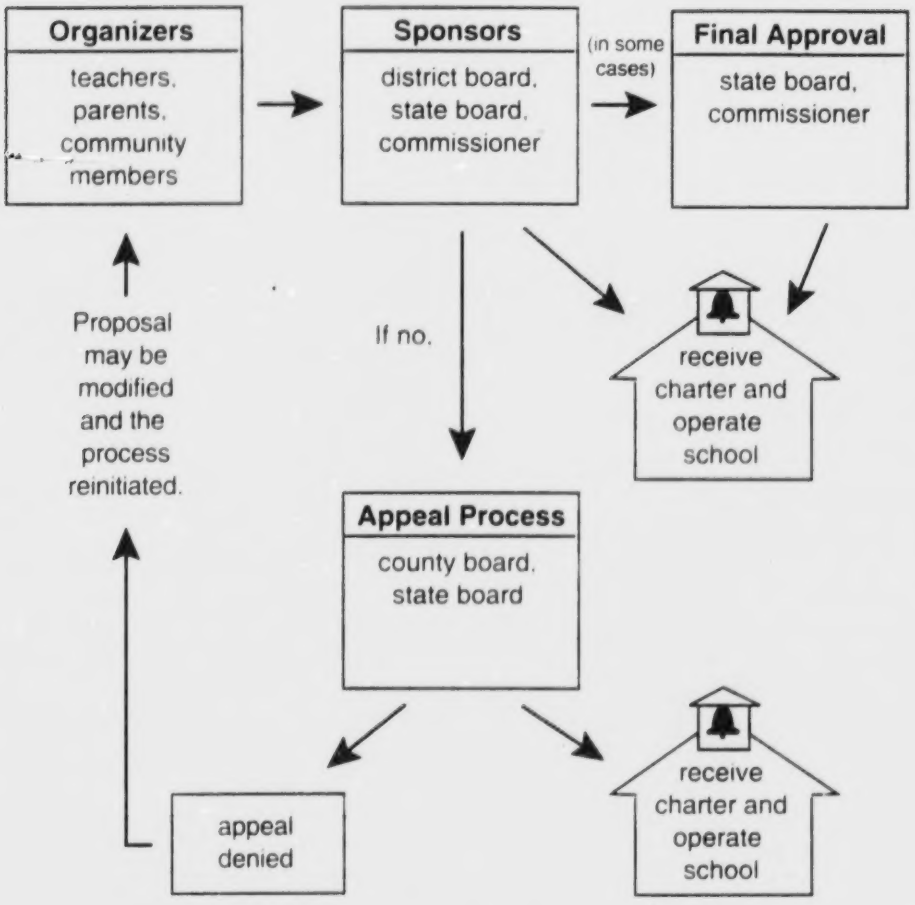
A number of steps are involved in the creation of a charter school (see Figure 1). Generally, the process begins with one or two individuals (the organizers) who want to create a charter school. These organizers develop a plan that provides a comprehensive view of the proposed school. During this stage, the state or a private organization may provide technical assistance to help the organizers draft a workable proposal.

Once an initial proposal has been developed, the organizers present their ideas to a sponsor, a group or board that can legally enter into a contract with the organizers and hold them accountable for results. The sponsor may or may not approve the organizers' plan, and revisions may be necessary. Should a plan not be approved, the organizers may have access to an appeals procedure. Moreover, there may be another state-level group or board responsible for final approval of each charter school proposal.

Further examination of the roles of key players in the charter school process is instructive. Different states may refer to these participants by different names, and their responsibilities may vary.

Organizers: Organizers are responsible for creating the school's vision, negotiating and revising the charter, gathering necessary information, acquiring support and resources, and walking the school plan through the chartering process. They must develop the instructional and management plans for the proposed charter school. After approval, the organizers continue their involvement through the operation of the school.

Figure 1. Formation of a charter school.



Possible organizers named in legislation include teachers, parents, community members, colleges and universities, nonprofit social service agencies, cities, and corporations. In some states, legislation permits any individual or group to organize a charter school. A school district also may generate its own proposal.

Sponsors: Sponsors of a charter school are responsible for approving and overseeing the school. They must ensure that the charter school proposal is sound and will serve the needs of students. They hold the school accountable for the results stated in their charter. In some cases,

the charter also may specify a higher degree of involvement for a sponsor. For example, a charter might include a contract between the school and the sponsor for such items as school lunches or payroll services.

Laws in various states designate a number of groups or officials that can legally act as a sponsor. Most often, local school boards are among the possible sponsors. Other entities that may serve as sponsors include county or regional boards of education, state boards of education, state superintendents or secretaries of education, and, in the case of Arizona, a state board for charter schools. Many state laws also establish an appeals process to assist organizers who feel that a given sponsor inappropriately denied their proposals. In these cases, the appellate body may be an alternate sponsor or a higher level of government that is authorized to hear appeals.

Final Authority: Some state laws require a second level of approval beyond that of the sponsor. The final authority in these cases usually is a state education board, an education department, or an executive officer. The intent of this final review may be to ensure quality and consistency among charter school contracts, or it may be simply to allow the state to keep track of the number of established schools.

Technical Assistance Providers: To date, only a few states have appropriated funds to assist organizers and sponsors in their planning and implementation efforts, despite general agreement that some types of technical assistance are important. To address the need, some state education departments have taken on the role of providing technical assistance, while in other states, private individuals and groups have done so.

Charter School Governing Bodies: In keeping with the spirit of decentralization, charter schools are administered by site-based school councils or boards. These groups are responsible for setting school budgets, contracting for services, hiring and dismissing staff, selecting curriculum, and carrying out all other administrative functions of the school. State laws sometimes prescribe the composition of the governing board. For example, some states require the participation of

teachers, parents, and community members; others allow charter schools to create their own management configurations as appropriate. In either situation, the overriding goal is to create schools that are completely site-managed.

Charter schools in some states also are allowed to contract with an outside corporation to run the school. This has created an opportunity for education corporations, such as the Edison Project, to manage public schools on a charter basis.

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A "Model" Charter School Structure

Although great variations exist across charter school laws, 10 elements deemed to be essential for a successful charter school "model" have been extracted from the work of Kolderie (1993) and others active in the charter school movement. The belief is that charter schools will have the best chance to create improved learning environments and positively affect the overall education system if these elements are in place:

1. A variety of public or private individuals or groups may organize, seek sponsorship, and operate a charter school.
2. At least one public authority besides the local school board (for example, the county board, the state board, or a university) may sponsor a charter school.
3. Charter schools are considered discrete legal entities.
4. Charter schools, as public entities, embrace the ideals of the common school. They are nonsectarian, tuition-free, nonselective in admissions, nondiscriminatory in practices, and accountable to a public body.
5. Each charter school is held accountable for its performance, both by parents and by its sponsoring public authority. Failure of a charter school to meet the provisions of its contract results in its closure.
6. In return for stricter accountability, charter schools are exempted from state and local laws and regulations except those related to

health, safety, and nondiscrimination practices, and those agreed to within the charter provisions.

7. A charter school is a school of choice for students, parents, and teachers; no one is forced to be there.
8. Each charter school receives the full operating funds appropriate to its student enrollment — in other words, it is fiscally autonomous.
9. Within a charter school, teachers have the option to work as employees, owners, or subcontractors. If previously employed in a district, they retain certain "leave" protections, such as seniority or retirement benefits, should they choose to return to district employment within a designated time.
10. There are no restrictions on the number of schools that can be created.

Although the above elements describe what some believe to be an ideal situation, no state has yet enacted legislation that contains every element. The radical nature of the charter school concept has demanded many political compromises. Four areas have tended to raise the most political concerns: 1) sponsorship options (especially by bodies other than the local school board), 2) legal autonomy, 3) funding formulas, and 4) employment protections given to teachers.

Pioneering Charter School States

Ray Budde, an expert on school district organization, has been credited with introducing the charter school concept in the late 1980s. Budde's ideas were based on a review of explorer Henry Hudson's "charter" with the East India Company to find a new passage to the Orient (Stuart 1994; Mulholland and Amsler 1992). Albert Shanker, president of the American Federation of Teachers, furthered Budde's concept by proposing that groups of teachers be allowed to start their own schools under a charter process. Translation from Shanker's proposal to practice occurred first in Minnesota where, after a tough political struggle, the nation's earliest state charter school law was passed in 1991. California followed with its own charter school law the next year; and by the end of 1993, six more states — Colorado, Massachusetts, Michigan, Wisconsin, New Mexico, and Georgia — also passed charter school-type legislation (Bierlein and Mulholland 1994). By summer 1994, Arizona, Hawaii, and Kansas had joined the list, and legislation was being developed or considered in almost a dozen other states.

In some states with charter school laws, any school developed is granted a great deal of financial and legal autonomy and automatic freedom from state and local rules. These states are considered to have strong charter school laws and, perhaps as a result, have more charter school activity than other states. In other states, charter schools remain part of their school districts and often must seek waivers from rules on

a case-by-case basis. Limited charter school activity is occurring within these states, though legislators in several of them are attempting to strengthen their charter school laws. Following are the states with charter school laws, listed by the degree of autonomy allowed by the law and the year in which the initial charter law was passed.

More Autonomous Charter Laws	**Less Autonomous Charter-Like Laws**
Arizona (1994)	Georgia (1993)
California (1992)	Hawaii (1994)
Colorado (1993)	Kansas (1994)
Massachusetts (1993)	New Mexico (1993)
Michigan (1993)	Wisconsin (1993)
Minnesota (1991)	

A brief review follows of the laws and activities (as of February 1995) within each of the six states with stronger charter school legislation and two of the states with less autonomous charter school legislation.

Arizona: Passed in June 1994, this state's charter law is considered one of the strongest to date. Organizers may be any individual, a public body, or private organization. The three potential sponsors for schools are: a school district governing board, the state board of education, or the newly created state board for charter schools. Local boards are allowed to charter an unlimited number of schools, with the level of autonomy for these schools to be determined by the charter. Each of the two state boards is allowed to charter up to 25 schools per year, with such schools being financially and legally autonomous. All charter schools are automatically exempt from most state rules. The law also establishes a charter school stimulus fund of one million dollars to assist charter schools with start-up costs.

To date, 19 schools have been approved — 11 by the state board, seven by the state charter board, and one by a local school board. Examples include l'Tom Escuela, a trilingual (Spanish, English, and

Yaqui) community-based charter school, and the Arizona Career Academy, which focuses on providing a coordinated program of core academic instruction, counseling, technical training, and experiential learning for challenged youths.

California: In September 1992, California adopted the nation's second charter school law, in part as a defense against the passage of a private school voucher ballot measure. California's law allows up to 100 charter schools and permits any individual to initiate a charter school petition. Potential sponsors include the local school district or, if an appeal is sought, the applicable county board of education. Entire districts also may apply for charter status. By law, California charter schools are financially autonomous, though funds continue to flow through the district to the school, and charter schools often contract with their districts to provide some services. The extent of each school's legal autonomy is determined within its specific charter agreement. To date, about 77 charter schools have been established, with the majority of them beginning operations in 1994-95.

California charter school proposals encompass a wide variety of innovative strategies. For example, Bennett Valley Charter School employs a home-based independent learning approach. Options for Youth Charter School focuses on dropouts and those at risk of dropping out. And Bowling Green Elementary School practices W. Edwards Deming's Total Quality Management. Unlike their counterparts in Minnesota, however, many California charter schools are being converted from existing schools, rather than being created entirely new.

Colorado: Legislation passed in June 1993 permits up to 50 charter schools to be created prior to July 1997. Afterward, the ceiling is removed. Under the law, any individual or group can enter into a charter school agreement with a local school board if "adequate" support from parents, teachers, and pupils is obtained. A charter school remains under the legal authority of its school board but receives at least 80% of normal per-pupil funding from the district. Seventeen charter schools

had been approved by February 1995, with 14 of those in operation. There also were seven applications pending and five potential appeals to the state board. The state board can require local boards to grant charters if no valid reasons for denial exist.

Massachusetts: As part of a broader reform package, Massachusetts passed legislation in 1993 permitting 25 public charter schools. Each may be organized by two or more certified teachers, 10 or more parents, or by any other individual or group that successfully enters into a charter agreement with the state secretary of education. The state automatically grants legal and financial autonomy to charter schools.

Although the new charter schools are not authorized to begin operations until September 1995, the initial application process yielded 64 proposals, of which 14 obtained approval. One of these proposals will be subcontracted with the Edison Project, a for-profit enterprise. Other approved proposals include a Boston University plan for a residential high school for homeless children and wards of the state and a proposal for Benjamin Franklin Classical, a school that will offer a rigorous classical education for K-8 students. Thirty-six new proposals have been submitted for the remaining 11 charters allowed by the legislation.

Michigan: This state's initial charter law was passed in December 1993 and declared unconstitutional less than one year later as the result of a lawsuit brought by, among others, the teachers union and several state board members. In its ruling, a county circuit court found that the law usurped the state board's power to supervise public education and that charter schools are legally not "public." State legislators moved quickly to pass new legislation, which became effective in April 1995. This legislation addresses the key issues in the lawsuit. However, at the time of this writing, an appeal to the circuit court decision is pending. The new legislation is written so that, if the circuit court's decision is overturned, the initial legislation (with minor modifications) will supersede the new law.

Key provisions of Michigan's new law include that organizers (any individual or entity) may choose from four potential sponsoring bodies: local governing boards of larger school districts, intermediate school district boards, community colleges, and state public universities. The charter schools become legally and financially autonomous and are exempted from most state rules. To date, eight schools, which had been approved under the initial law, received funding to operate as alternative public schools. These and other schools are preparing to be rechartered under the new law.

Minnesota: Building on existing public school choice programs, Minnesota initiated the first charter schools legislation in 1991. The law initially authorized creation of up to eight legally and financially autonomous schools (referred to as "outcome-based schools") to be organized by certified teachers and sponsored by local school districts. Minnesota's legislation was modified in 1993 and 1994 to allow up to 35 charter schools across the state. An appeals process to the state board of education also was added.

During the 1992-93 school year, two Minnesota charter schools were operating. The first is City Academy, which is located in a donated city recreation building in St. Paul and offers a year-round program for approximately 50 at-risk adolescents and young adults ages 13 to 21. The second is Bluffview Montessori, a private K-6 school that converted to charter status in March 1993. Five additional schools with diverse program offerings began operating under their charters in the 1993-94 school year. Among these are Metro Deaf, a school for deaf and hearing-impaired students that emphasizes deaf language, culture, and history; Skills for Tomorrow, a vocational/technical school developed with the support of the Teamsters Union and the Minnesota Business Partnership that emphasizes applied learning through internships; and New Heights Schools, Inc., a pre-K through grade 12 school that emphasizes the needs of at-risk students. Six additional schools opened during 1994-95, and three have been approved to open in fall 1995.

The following two states grant less autonomy to their charter schools and are illustrative of other states with "charter-like" laws.

Georgia: Legislation passed in 1993 allows an unlimited number of charter schools to be converted from existing public schools. Public school personnel may apply to the state board for charter status if they obtain prior approval from their local school board, two-thirds of the school's faculty and staff, and a majority of parents at a meeting called to initiate a charter school petition. Charter agreements must emphasize school improvement and student outcomes. The schools are not legally autonomous from their districts, and the amount of funding they receive is specified in the terms of the charter agreement. Three schools are expected to apply to their local school boards during spring 1995 and to begin operating in fall 1995.

New Mexico: Legislation passed in 1993 allows five existing public schools to be granted charter school status by the state board of education. These charter schools will continue to function under the legal authority of school districts, and certain administrative costs may be withheld by the districts. During 1993-94, initial planning grants of $5,000 were provided to 10 schools to promote the charter concept. Four schools began operating under charters in fall 1994, each receiving a $15,600 grant to support their first year of implementation.

Sample Charter School Programs

As the list of charter schools grows, so does the variety of programs. Many schools use innovative methods not commonly found in public schools. Some incorporate new formats, such as year-round school, extended-day schedules, and integrated subjects. Others subscribe to particular education philosophies, such as open education, home-schooling, the Montessori method, or back-to-basics. Still others create programs that target a specific subpopulation of students, such as those at risk of dropping out, those whose native language is not English, or those who are young or expectant mothers. Or they focus on a special subject theme such as science, math, computer technology, or languages. Most schools combine several of these elements with differing emphases.

In some schools the instructional methods and student populations do not differ greatly from those in place prior to charter status. For these schools, the significant difference is that they become fully site-managed and will be held accountable to the outcomes specified in their charter. The brief descriptions that follow provide a sample of some charter schools.

City Academy, St. Paul, Minnesota

Located in a former city recreation building in downtown St. Paul, City Academy opened in September 1992. The school is both legally and fiscally autonomous from the district and serves teens and young

adults between the ages of 15 and 21, most of whom were considered at high risk for failure. Many of City Academy's students have experienced such problems as academic failure, poverty, homelessness, chemical dependency, violent or delinquent behavior, parenthood, and physical or sexual abuse. One primary criterion for admission to this school is that the student currently not be enrolled in any other school. The program serves 50 students and has a long waiting list. However, there are no plans to expand much beyond the current enrollment, because the staff believes that small size is what makes the program effective.

City Academy's founding was helped by a grant from the local utility company. The sponsoring district provides food service and provides transportation.

Minnesota law requires that teachers make up the majority of City Academy's seven-member board of directors. A representative from the utility company also serves on the board, and two positions are set aside for a student and a parent. The staff at City Academy consists of six full-time teachers, three part-time teachers for Spanish, music, and language arts/writing, and one full-time support person. The school contracts with a former state fiscal agent for bookkeeping services. Additional support is provided by the utility company, which conducts workshops dealing with vocational assessment, career planning, developing leadership skills, and developing job skills.

The utility company also offers job opportunities and mentoring to students. Freed from Carnegie units, City Academy has the flexibility to let students spend time "in the field" each week, working with a variety of community organizations. There they can study such subjects as art, acting, and conflict resolution or gain job experience in such occupations as construction, clerical work, recreation leadership, and child care.

One objective of City Academy is to enroll students in Minnesota's postsecondary education program, which allows students to receive both high school and college credits for taking tuition-free college-level

courses. Student outcomes are evaluated by the examination of portfolios, writing and math assessments, student self-reports, and reports from employers, if applicable.

Metro Deaf School, St. Paul, Minnesota

Metro Deaf School is located in a commercial building in downtown St. Paul. In 1994-95, it served 26 deaf and hard-of-hearing students, ranging from kindergarten through eighth grade. The focus of its program is both bilingual and bicultural, with instruction in overall language proficiency and deaf culture. American Sign Language is the primary language of instruction.

The Metro Deaf School staff includes six full-time teachers, one full-time aide, and one part-time aide. The school also contracts with instructors to teach extra classes and with specialists (social workers, interpreters, bookkeepers, and others) to provide various types of assistance. The school does not contract with the sponsoring district for any services. As with all Minnesota charter schools, Metro Deaf is legally and financially autonomous from its sponsor.

Connect School, Pueblo, Colorado

Located in a rural district, Connect School opened its doors in September 1993. By 1994-95, the school served 90 middle school-age students in nongraded classes. The school leases space in a commercial building that was remodeled using a donation by the building's developer. The curriculum draws heavily on the principles of Theodore Sizer's Coalition of Essential Schools. The core studies of reading, writing, and math are taught daily, while social studies and science are offered in workshop-style settings with extended blocks of nearly three hours per subject. Frequent field trips and projects augment the schedule.

Connect School also features an extended school day, small classes, and a schedule that keeps the same children in class together for three years. Technology and parent and community involvement are very

important. In fact, the school name was chosen to reflect the connections between education, technology, and the community.

Although the Connect School remains under the district's legal authority, it operates independently. According to Colorado law, the school receives 80% of normal funding, with the remainder going to the sponsoring district to cover the costs of payroll services, accounting, warehousing, and the use of a district school bus.

The school governing board consists of an advisory group and a director. Serving on the board are two teachers, three parents, one community member, and one student. Members are elected in September and serve a two-year term. The staff consists of five full-time teachers; a variable number of part-time instructors to teach band, physical education, and special classes; and a janitor who cleans bathrooms and the kitchen. Otherwise, the school uses volunteers for its support services. Parent volunteers help with office work, offer seminars in their areas of expertise, and tutor students. Students also contribute to daily operations by answering phones in the morning and cleaning certain areas of the school. The money saved by the elimination of support staff has made it possible for the school to purchase computers and to maintain staff salaries.

Student outcomes will be measured through standardized tests, portfolios, and student exhibitions. The charter specifies that 90% of students will perform at or above grade level using the district standardized testing program.

Jingletown Charter Middle School, Oakland, California

Opened in September 1993, this school originally served 120 sixth- and seventh-grade students, expanding to serve eighth-grade students by September 1994. Bilingual education is emphasized, as many of the students speak English as a second language. Core subjects are taught in two-hour integrated subjects blocks, one block for math and science

and another for language arts and social studies. Spanish, physical education, and a homeroom/advisory session also are part of the curriculum.

The school employs three full-time teachers, as well as five part-time teachers for special subjects. The school is governed by a principal and a board of directors composed mostly of parents. Staff, students, and community members also serve on the board. Students must wear school uniforms, and parents are required to volunteer four hours to the school each month.

Jingletown Middle School is legally and financially autonomous, which is not the case with many California charter schools. School staff have not found it necessary to contract with the sponsoring district for any services. The school property is located in a park that is leased at a nominal rate from the Catholic Diocese of Oakland. Leased portable classrooms are the facilities for the school. The school has received donations from both corporations and individuals.

Horizon Instructional Systems, Lincoln, California

Horizon Instructional Systems offers educational and resource services to students and parents involved in home schooling. Serving 30 students when it opened in August 1993, it has expanded to approximately 1,100 students in kindergarten through 12th grade. Two-thirds of the students are taught at home by their parents, while one-third (mostly high school students) are self-taught. The school has a staff of 55 part-time resource teachers who meet with their students at least monthly to assess progress, evaluate work, make assignments, or provide other support.

School facilities consist of two portable classrooms, one located near each of two district schools. The portables are used for training parents to educate their children at home. They also house resource materials for distribution and serve as sites for special classes on such subjects as computers, sign language, and art. Parents help to develop extracurricular classes and sports teams.

Although the school is not legally autonomous, it functions independently from its sponsoring district. A member of the sponsoring district's governing board is the chair of the school's governing board and, therefore, is informed about issues relating to the school. The school also contracts with its sponsoring district to provide custodial, bookkeeping, and business management services.

The school is held to the same outcomes required of all schools in the sponsoring district, though the charter permits modifications to be made to fit the individual education plans of students. Student outcomes will be assessed by both the state assessment instrument and evaluation of individual work and portfolios. Observations of student improvement by resource teachers and parents also are considered by the school.

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Creating and Operating a Charter School

Charter schools offer a radically different approach to providing and managing public education, but not necessarily a smooth road. Eric Premack and Linda Diamond (1993) write of their experience in assisting charter school participants in California:

> Educators have operated under a system of rules and regulations which have not rewarded deep change. . . . There is an absence of models of alternatives that deal with all facets of schools — instruction and curriculum, finances, governance, staffing, collective bargaining, maintenance, and so on. Further, they have been confronted by a barrage of misinformation from opponents of the charter concept. . . . Teachers and administrators need assistance to escape the box of familiar ways of doing things; they need examples; they need expertise; and they need support to envision a new system and invent practical solutions to implementing it. (p. i)

Although these issues are of concern for any reform activity, several are particularly key to charter schools. This section will provide a glimpse of the challenges being faced by charter school organizers. Where possible, solutions to common charter school problems are provided.

Planning

Organizers must develop a clear vision of what their school will look like; and they must gather support from teachers, parents, and other

community members. Some organizers have incorporated year-long planning periods to help them create a clear, well-developed school plan.

Planning must result in agreed-on school philosophy, educational objectives, teaching methods, appropriate use of technology, administrative structure, and the roles of students and parents. Furthermore, these ideas must be articulated in the charter school proposal because potential sponsors will have many questions, and organizers who have not thought through their vision will not seem credible.

Planning also should set the stage for future involvement of key participants. A proposal is more likely to be approved if a broad-based group of teachers, parents, community members, and business partners are involved from the start.

Technical Assistance

One of the most challenging tasks for school organizers and staff is to acquire the skills needed to operate a charter school. This is especially true in states that allow charter schools a high degree of legal and financial autonomy. Many new activities require skills not typically expected of school principals and teachers. Among these are the acquisition of property, purchase of insurance, negotiation of contracts and leases, solicitation of grants and donations, administration of the budget, and assignment of responsibilities to the sponsor.

The best solution is proper training and outside technical support aimed specifically at charter schools. Unfortunately, few states currently allocate money to their departments of education for the purpose of providing technical assistance to charter schools. As a partial remedy, some education departments offer the services of their existing personnel in an attempt to meet the needs of charter schools. In some states, technical support is provided by private groups and charitable organizations.

As charter schools begin to share solutions and resources, organized charter school networks have begun to appear. Among these are the

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Minnesota Charter School Network, the California Network of Educational Charters (CANEC), and the Colorado League of Charter Schools. The growing charter movement also has prompted the recent creation of the National Association of Charter Schools.

School/Sponsor Relationships

Although the degree of autonomy for charter schools varies from state to state, it is usually advantageous for charter schools to maintain cooperative working relationships with their sponsors. One obvious reason is that the schools are accountable to their sponsors according to the provisions of their charters. Furthermore, situations may arise in which the school might contract with the sponsoring district for services such as transportation or insurance that, because of their relative size, would otherwise be cost-prohibitive.

Most charter school participants who were interviewed for this fastback reported good working relationships with their sponsors. In the best circumstances, their districts viewed them as testing grounds for methods and practices too new or innovative to put in place at all schools. Indeed, some charter schools, such as the Connect Middle School in Colorado, have agreed to share with their sponsoring district the lessons they learn through their efforts. Some schools also have discovered the benefits of placing a district representative on their governing boards.

However, some charter schools have found that their sponsors are uncomfortable in their new roles. Staff from one autonomous charter school in California reported that their sponsor had not been eager to approve their charter in the first place but could find no legitimate reason for denial. Since granting approval, the sponsor has maintained only minimal involvement with the charter school.

School Funding

Charter school legislation usually stipulates that state and local education money for operations follows students to their charter schools.

The schools also receive special education and other categorical funds for which their students are eligible. Some states allow sponsors to withhold a percentage of funds to cover any administrative costs or payment for other services rendered.

A few states provide funding for start-up costs or capital equipment. New Mexico, for example, provides $5,000 planning grants to those developing proposals, while Arizona contributes to school start-up by having set aside one million dollars in a charter school stimulus fund.

Lack of start-up and capital funding has forced schools to find ways to stretch their dollars. One solution is to replace paid support staff with volunteer help from parents and others. Another solution is to employ some part-time staff. Cross-utilized staffing arrangements that cast employees in several different roles also result in savings.

Many schools have received generous donations from corporations and private citizens. Jingletown Charter Middle School, for example, received donations of furniture, a copier, a telephone system, video cassette recorders, televisions, and computers and printers for every classroom, as well as a large corporate cash donation specifically designated for math and science materials and smaller cash donations from individuals.

Another high start-up cost is for leased space. Many schools have obtained the use of buildings at very low rates. In the case of Minnesota's City Academy, the mayor of St. Paul donated the use of an empty city recreation building. Other schools solve their facility problems by making use of portable units, finding reasonably priced accommodations in commercial buildings, or obtaining university space. Sometimes a school facility has been provided free of charge for a specified period of time; in other cases schools have been charged a low rate offered only to nonprofit organizations.

Organized Opposition

Charter school legislation in its final version often differs markedly from the original proposal. Changes, in large part, result from politi-

cal pressures from groups that hold a stake in the status quo; compromises are made to reduce resistance from these opposing groups.

School board associations often oppose the creation of autonomous charter schools. Historically, school boards have been the sole providers of and primary decision-makers for public education in their communities. Under charter school legislation, local school boards and district offices may find their roles and responsibilities greatly altered.

However, some school boards see a brighter side to the charter school picture, especially as an alternative to private school vouchers. Randy Quinn (1993), executive director of the Colorado Association of School Boards, writes that charter schools represent "a dramatic, very fundamental difference, one that forces the school board to re-examine its role. Rather than serving as provider, the board has an opportunity to become the purchaser of education services on behalf of the citizens of the community served by the board" (p. 2). He further suggests that, in the future, boards may want to aggressively solicit charter proposals to create diversity within their district, which would allow students, parents, and teachers more choices among schools and thus mitigate many previously unresolvable conflicts.

Teachers unions, too, have resisted specific charter school provisions. Though the unions tend to support charter school legislation in theory, they have expressed concern about key provisions of legislation — especially versions that call for autonomous schools — because of the implications for teacher employment. The National Education Association notes, "*under the right conditions* charter schools could become change agents promoting new and creative ways of teaching and learning" (National Education Association 1993, p. 1. Italics added). Two such conditions are that only certified teachers be used and that district collective bargaining agreements be maintained. Teachers unions also have expressed the concern that charter school provisions could become a "back door" for private school vouchers.

Autonomy and New Governance Structures

With the exception of a few states that allow charter school organizers and sponsors to agree on the level of autonomy for charter schools, state laws usually specify whether a charter school will be autonomous or remain a part of a school district. This is a defining feature of the legislation, because the difference between a school that has relative autonomy and one that enjoys true legal autonomy is significant. A charter school with partial autonomy may be able to operate with a degree of independence from its school district, but it still falls under the district's legal authority. A truly autonomous charter school, on the other hand, holds an iron-clad guarantee of its independence. Such a school is legally organized as a nonprofit, cooperative, or private corporation as specified by its state legislation.

A school's degree of autonomy affects many aspects of its operations. One of these is school governance. Charter schools with true autonomy have full decision-making power and full liability for their decisions. In charter schools with partial autonomy, school governance may be similar to that of a site-based decision-making council. The council can make decisions, but the district school board retains final authority. Awareness of these limitations reduces the potential for friction between charter schools and their sponsors.

Similarly, charter governing boards can differ markedly. For example, Minnesota's legislation requires that a majority of a school's board of directors be teachers. Other states are less structured but usually prescribe a diverse membership on the governing board. The boards that have emerged thus far include representatives from many groups: teachers and staff, parents and students, representatives of the sponsoring district, and business partners. Some boards set up subcommittees or advisory boards to represent special interest groups. These auxiliary groups maximize involvement of the school community and decrease the workload of the governing board members.

Employment-Related Issues

Among the most politically charged aspects of a charter school program are employment-related matters. Depending on applicable state laws and charter agreements, teachers may or may not be considered employees of a sponsoring district. Therefore, many questions arise. Who hires and dismisses school personnel? What collective bargaining rights do teachers hold? Will teachers and staff have job security or retirement benefits?

A charter school's degree of autonomy also affects employment issues. For charter schools that are only partially autonomous from their districts, employment provisions usually mirror those of the district. In legally autonomous charter schools, on the other hand, these employment questions must be decided by the school's governing body.

Some state laws separate charter school teachers from district agreements and, instead, allow teachers the choice of forming a collective bargaining unit completely within their individual school or of not entering into collective bargaining at all. Other state laws leave the collective bargaining decisions up to individual schools.

It is possible for teachers to become school "owners," rather than just employees. For example, teachers might establish a cooperative or partnership arrangement within a charter school and contract with a sponsor (or subcontract with a nonprofit charter school management team) to organize and run the school. Teachers with an entrepreneurial spirit are drawn to an opportunity such as this.

Assessment, Results, and Accountability

A basic tenet of the charter concept is accountability for results. A school's charter specifies the outcomes that students will attain and how attainment will be measured. In interviews, charter school participants reported using a variety of measures, including performance assessments, standardized achievement tests, portfolios, self-reports, and teacher observations.

Although a great deal of effort has gone into developing accurate student assessments, such as portfolios and performance-based assessments that might supplement traditional norm-referenced exams, for the most part such tools remain in the development stage. Charter schools are thus faced with the dilemma of using conventional measures that may not suit their situations or using innovative assessment techniques whose reliability is debatable. Furthermore, even much less sophisticated measures, such as dropout and attendance rates, can be subject to ambiguous definitions and recording errors, thus complicating the issue of accountability.

Equity and Opportunity

Policy makers and charter school organizers must ensure equitable access and opportunity to learn not only for students in charter schools, but also for those who remain in traditional schools. Highly specialized educational programs offered by some charter schools could result in selective, and potentially discriminatory, admission criteria. Thus charter school states have attempted to head off such possibilities by requiring schools to develop admission procedures that do not discriminate against pupils on the basis of ethnicity, national origin, gender, or disability. In addition, some states have required charter schools to address racial and ethnic balance issues and to comply with existing court-ordered or voluntary desegregation orders.

Nevertheless, schools chartered to address the needs of a specific group (at-risk youth or pregnant teens, for example) will, by necessity, segregate students. What, if anything, should be done? Some educators contend that attracting students away from regular schools into specialized charter schools will reduce diversity in the first school and create artificial homogeneity at the second. Others, however, point out that many students with special characteristics tend to be failures in "regular" schools. These students should be allowed to attend "segregated" schools that target their needs if they can be successful there.

The validity of such arguments remains to be seen. The primary goal of the charter school concept is to increase educational choices. The challenge for education leaders is to create a system of innovative schooling opportunities that ensures equity for all students.

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The Effect of Charter Schools

Because the charter concept is new and few states have funded evaluation efforts, the effects that charter schools have created so far must be extracted from informal reports. These positive and negative reports, as well as observable trends, indicate the following:

School environments are being created in response to student and parent desires. In some cases, charter schools are being created where there existed long waiting lists to enroll in similar programs. The Community Involved Charter School in Colorado now serves more than 1,000 students who previously were waiting for slots in another program. In addition, numerous charter schools are using multi-age/multi-grade classes, reducing class and school size, and using a Montessori-style approach, back-to-basics program, or some specific curricular emphasis.

Numerous at-risk students are being served. Many charter schools have chosen to target students who are not succeeding in the traditional public school setting. One example is Minnesota's City Academy, which reports that within its first two years, 75% of its initial group of students (all former dropouts) had completed graduation requirements, and most planned to attend postsecondary education. There is a long waiting list for this school and others like it.

Unique community and business partnerships are being formed. For example, the Skills for Tomorrow Charter School, a vocational/technical school in Minnesota, is being run with support from the Teamsters Union and key business leaders. Several schools are being operated or

co-operated by universities, such as the Pueblo School for the Arts and Science in Colorado and the Saginaw Chippewa Academy in Michigan. In Arizona, the town of Guadelupe is a partner in the I'Tom Escuela charter school, hoping to reverse a long history of poor academic performance among its children.

Larger percentages of existing funds are being focused on instruction. Through the use of volunteers and other cost-saving efforts, some schools actually are saving money on the business side and reinvesting in instruction. For example, the Vaughn Next Century Learning Center in Los Angeles realized a $1.2 million surplus in its first year of operation. This surplus was used to enhance technology and other instructional supports.

Ripple effects are becoming visible across the broader system. Charter schools are intended not only to serve the students within their walls but also to help initiate other changes. To some degree, this is beginning to occur, especially in states with strong charter laws. For example, a Montessori program now is being offered by one Minnesota district after parents sought to establish such a program under charter law. In response to Massachusetts' charter law, the Boston Public Schools and the teachers union initiated a process for creating their own charter-like schools. These types of activities could have occurred without charter school legislation, but the pressure to do so was not present.

Charter schools are not immune from problems. A few events underscore the fact that charter school laws have glitches to be worked out, and mismanagement can occur. In November 1994, the Ingham County Circuit Court declared Michigan's charter school law to be unconstitutional, in part because the law usurped the state board's power to oversee public education. The suit was partially prompted by the approval of the Noah Webster Academy, which was a network of home-schooling families. It was feared that this network would use public funds to support religious instruction. In December 1994, changes were made to the law; and previously approved charter schools, with the exception of Noah Webster, were funded.

Some charter schools have had difficulty managing administrative operations. One school in Colorado was alleged to have faulty hiring procedures and to be in violation of open meeting laws. Other schools struggle to secure buildings and capital equipment. These types of problems were magnified in the case of the Los Angeles-based Edutrain Charter School, which lost its charter in December 1994 because of financial mismanagement.

Conclusion

Charter schools are not for the faint of heart. Involvement in their creation, governance, and day-to-day operation requires a large investment of time and energy and a high tolerance for ambiguity. Charter schools are, bluntly, uncharted waters. So what can be learned from those already working in charter schools?

Interviews with charter school organizers and staff in several states reveal that school start-up is one of the most time-consuming tasks. Many start-up problems are similar to those that confront any new small-business owner. Organizers and staff must create a vision of the school they want and prepare to translate that vision into reality. They must consider sources for start-up funding, develop community contacts and involvement, and locate a facility. They must constantly evaluate their process and outcomes, making ongoing adjustments as necessary.

Although the task of organizing a charter school may seem daunting, those who are involved see it as energizing, exciting, and inspiring. Charter schools peel away bureaucratic layers, and many people are more willing to support an education effort that is accessible to them. Charter schools are viewed as a grassroots reform strategy.

Charter school participants who were interviewed by the authors also made the following point clear: Those who believe in the charter school concept and can meet the challenging work load will reap rewards not possible in other schools. Just the tremendous emphasis on collaboration has been a welcome change to many. Nevertheless, many

questions remain: Will charter schools become just another fad that fades into oblivion in a few years? Or will they successfully integrate a number of promising reforms? And if they do succeed, will they dramatically change learning environments for a great number of students and teachers, or will they affect only those within their halls?

It is too early to answer these questions; but many educators, policy makers, and community members from widely diverse philosophical backgrounds believe that charter schools represent a bold reform attempt with great promise.

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George H. Reavis (1883-1970) entered the education profession after graduating from Warrensburg Missouri State Teachers College in 1906 and the University of Missouri in 1911. He went on to earn an M.A. and a Ph.D. at Columbia University. Dr. Reavis served as assistant superintendent of schools in Maryland and dean of the College of Arts and Sciences and the School of Education at the University of Pittsburgh. In 1929 he was appointed director of instruction for the Ohio State Department of Education. But it was as assistant superintendent for curriculum and instruction in the Cincinnati public schools (1939-48) that he rose to national prominence.

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